Relief is invariably denied where the party defendant has not participated in the unconscionable conduct, and the instant decision expresses the prevailing view even though defendant is shown to be likewise a wrongdoer. *Boggs* v. *Bright*, 222 Fed. 714; *Cornellier* v. *Haverhill Shoe Assoc.*, 221 Mass. 554, 109 N. E. 643. Assistance has been given in sporadic cases where complainant has seemed the less guilty, and where it would be inequitable, in spite of his wrong, to refuse his prayer. The courts are quick to find, in these instances, that the complainant's wrong does not directly touch the matter in litigation. *Warfield* v. *Adams*, 215 Mass. 506; *Pitzele* v. *Cohn*, 217 Ill. 30, 75 N. E. 392; *Gargano* v. *Pope*, 184 Mass. 571, 69 N. E. 343. Relief has been given in one class of cases which should, on principle, include the one above. Those decisions indicate that where the suit is in its nature defensive, the maxim of "clean hands" is not applicable. *Lord Portarlington v. Soulby*, 3 Mylne & Keen 104; *Newman* v. *Franco*, 2 Anstruther 519. A suit to quiet title is substantially of that sort. The marketability of the property is impaired, and consequently its present value is diminished by the possibility that the claim constituting the cloud may some time be asserted in court. It is the gist of complainant's prayer that he be permitted to anticipate this assertion, and to offer his defense at once.

EVIDENCE—READING MEDICAL BOOKS TO JURY ON CROSS-EXAMINATION OF EXPERTS.—A passenger sued for personal injuries received through the negligent management of defendants' train; defendants introduced medical experts who testified that the plaintiff's injuries were simulated. In the cross-examination of these medical experts, the court permitted plaintiff's counsel to read to the jury excerpts from acknowledged standard medical authorities, to which the witnesses had not made reference in their direct examination. *Held*, that the excerpts were properly read; this being an exception to the general rule which forbids the reading of books of inductive science as affirmative evidence of the facts treated of. *Scullin et al.* v. *Vining* (Ark. 1917), 191 S. W. 924.

The instant case stands practically without support on the proposition that excerpts from standard medical authorities, on which the witness has not based his opinion, may be read to the jury as evidence. There is a marked difference between reading what is in a book as evidence to a jury, and reading excerpts from books to the witness for the purpose of testing his knowledge on the subject treated. In one case the mere opinion of a scholar is offered as evidence without opportunity to cross-examine him. In the other the opinion of the expert is tested by the opinions of other experts. Apparently the court was confused. It decided that excerpts might be read to the jury as evidence, when it apparently intended to decide only that excerpts from authorities on which the witness had not based his opinion might be read to the witness, for the purpose of testing his knowledge. The cases agree that when an expert has based his opinion on a particular authority, the counsel on cross-examination may read an excerpt from that authority, and ask for his views upon it. See *Bloomington* v. *Schrock*, 110 Ill. 219, 51 Am. Rep. 678; *Clark* v. *Commonwealth*, 111 Ky. 443, 63 S. W. 740.

Or the authority may be introduced in evidence, and such extracts as contradict the expert may be read to the jury, purely for the purpose of discrediting the witness. *Union Pacific Ry. Co.* v. *Yates,* 79 Fed. 584, 49 U. S. App. 241; *Eggart* v. *State,* 40 Fla. 527, 25 So. 144; *Pinney* v. *Cahill,* 48 Mich. 584, 12 N. W. 862; *People* v. *Wheeler,* 60 Cal. 581, 44 Am. Rep. 70. On the question whether counsel may cross-examine an expert on authorities on which the witness has not based his opinion, or only on such as he has based his opinion, there is a decided conflict of authorities. The following cases, with the instant case, allow examination on acknowledged standard authorities whether witness has based his opinion on them or not; on the theory, that expert witnesses are dangerous and every legitimate means should be used to test the soundness of their theories and show their want of knowledge. *Davis* v. *United States,* 165 U. S. 373, 17 Sup. Ct. 360, 410 L. Ed. 750; *Fisher* v. *Southern Pac. R. Co.,* 89 Cal. 399, 26 Pac. 894; *Hess* v. *Lowery,* 122 Ind. 225, 23 N. E. 156, 7 L. R. A. 90, 17 Am. St. Rep. 355; *Egan* v. *Dry Dock & R. Co.,* 12 App. Div. 556, 42 N. Y. Supp. 188; *Byers* v. *Nashville & R. Co.,* 94 Tenn. 345, 29 S. W. 128; *Clukey* v. *Seattle Electric Co.,* 27 Wash. 70, 67 Pac. 379. The following cases hold admissible excerpts only from authors upon whom the witness has based his opinion, and these may be read to the jury for the purpose of directly contradicting him. *Foley* v. *Grand Rapids & R. Co.,* 157 Mich. 67, 121 N. W. 257; *Marshall* v. *Brown,* 50 Mich. 148, 15 N. W. 55; *Butler* v. *South Carolina & R. Extension Co.,* 130 N. C. 15, 40 S. E. 770; *Mitchell* v. *Leech* (S. C.), 48 S. E. 290, 66 L. R. A. 723, 104 Am. St. Rep. 811.

GARNISHMENT—PROCEEDINGS AGAINST COUNTY.—The plaintiffs had furnished materials to the defendant contractors who were working for the county. Judgments against the contractor who later became insolvent were unsatisfied and the plaintiffs sought a decree of equitable garnishment against the county. Judgment was rendered by the lower court in favor of the defendants, on the ground that in the absence of a statute specially conferring the right, garnishment did not run against the county, either at law or in equity. *Held,* that the judgment of the lower court should be affirmed. *Clark et al.* v. *Board of Com'rs of Osage County* (Okla. 1916), 161 Pac. 791.

The authorities are divided on the question of garnishment against a county, but the great weight of authority plainly supports the view that garnishment will not lie against a county unless there is a statute specially conferring that right. For a full citation of authorities supporting both views, see ROOD, GARNISHMENT, §18; 57 L. R. A. 207 note; L. R. A. 1916E 1163 note. It should be noted that the problem concerns only the construction of general garnishment statutes and that both opposing views are based on the same broad ground—public policy. After discussing the conflict of decisions and the basic question of public policy, the court in the principal case decided in accordance with the majority rule and denied the right of garnishment. Despite the tendency of the great majority of courts, it seems that public policy should favor garnishment of counties. While it is admitted by the minority view, that, to some extent, the public interest